

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

LEON K. MITCHELL,	:	CIVIL ACTION NO. 1:14-CV-1621
	:	
Plaintiff	:	Chief Judge Conner
	:	
v.	:	
	:	
DIAMOND PHARMACY SERVICES,;		
CARRIE BUCHALSKI, ANTHONY	:	
CHIAVACCI,	:	
	:	
Defendants	:	

ORDER

AND NOW, this 23rd day of October, 2014, in accordance with the court's memorandum of the same date, it is hereby ORDERED that:

1. Plaintiff's application to proceed *in forma pauperis* (Doc. 2) is construed as a motion to proceed without full prepayment of fees and costs and is GRANTED.
2. Plaintiff's complaint is DISMISSED pursuant to 28 U.S.C. §1915(e)(2)(B)(ii).
3. The Clerk of Court is directed to CLOSE this case.
4. Any appeal from this order is DEEMED frivolous and not in good faith. See 28 U.S.C. § 1915(a)(3).

/S/ CHRISTOPHER C. CONNER

Christopher C. Conner, Chief Judge
United States District Court
Middle District of Pennsylvania